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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X		
In re	:	Chapter 11
	:	Case No. 04-13810 (JMP)
BROADWALL AMERICA, INC.,	:	
	:	
Debtor.	:	
-----X		
In re	:	Chapter 11
	:	Case No. 05-10616 (JMP)
BRAM WILL EL LLC,	:	
	:	
Debtor.	:	
-----X		
In re	:	Chapter 11
	:	Case No. 05-10617 (JMP)
WILLIAM MUSCHEL, LLC,	:	
	:	
Debtor.	:	
-----X		
BROADWALL AMERICA, INC.,	:	Adv. Pro. No. 06-01788 (JMP)
	:	Adv. Pro. No. 06-01789 (JMP)
Plaintiff,	:	Adv. Pro. No. 06-01790 (JMP)
- against -	:	
	:	
BRAM WILL EL LLC, and	:	
WILLIAM MUSCHEL, LLC	:	
Defendants.	:	
-----X		

**AARON MUSCHEL'S DESIGNATION  
OF ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL  
AND STATEMENT OF ISSUES ON APPEAL PURSUANT  
TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 8006**

AARON MUSCHEL, a party in interest in the above-captioned bankruptcy cases  
and adversary proceedings and the appellant (the "Appellant") pursuant to a Notice of Appeal,

dated and filed December 13, 2010, by and through its undersigned counsel, hereby submits its designation of items to be included in the record on appeal and statement of issues with respect to its appeal under 28 U.S.C. § 158 from the “Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief,” signed on November 30, 2010 [Case No. 04-13810, Doc. #229; Case No. 05-10616, Doc. #137; Case No. 05-10617, Doc. #136; Adv. Pro. No. 06-01788, Doc. #64; Adv. Pro. No. 06-01789, Doc. #21; Adv. Pro. No. 06-01790, Doc. #21] (the “Order”) by this Court, Honorable James M. Peck, United States Bankruptcy Judge for the United States Bankruptcy Court for the Southern District of New York.

**I. DESIGNATION OF ITEMS FOR RECORD ON APPEAL**

Appellant hereby designates the following items, together with all exhibits, schedules and attachments thereto, to be included in the record of the appeal:

**A. From Case No. 04-13810 (JMP)**

<b>DATE</b>	<b>DOCKET NO.</b>	<b>DOCKET DESCRIPTION</b>
6/3/2004	9	Motion For an Order, Pursuant to 11 U.S.C. §§105(a) and 365(a), and Rule 6006 of the Federal Rules of Bankruptcy Procedures, (A) Authorizing Debtor to Assume an Executory Contract with Bram Will El LLC and William Muschel, LLC, (B) Directing an Immediate Closing Under the Executory Contract, and (C) Granting Other and Further Related Relief
6/11/2004	11	Joinder of Arthur Shapolsky in Support of Debtor’s Motion For an Order, Pursuant to 11 U.S.C. §§105(a) and 365(a), and Rule 6006 of the Federal Rules of Bankruptcy Procedures, (A) Authorizing Debtor to Assume an Executory Contract with Bram Will El LLC and William Muschel, LLC, (B) Directing an Immediate Closing Under the Executory Contract, and (C) Granting Other and Further Related Relief

<b>DATE</b>	<b>DOCKET NO.</b>	<b>DOCKET DESCRIPTION</b>
7/15/2004	23	Bram Will LLC and William Muschel, LLC's Motion for an Order: (A) Abstaining from Adjudicating the Debtor's Motion Pursuant to 28 U.S.C. §1334(c)(1) Pending the State Court's Determination as to Whether the Real Estate Purchase Contract was Terminated Prior to the Chapter 11 Filing; and (B) Lifting Any Automatic Stay Pursuant to 11. U.S.C. §362(d)(1)
7/15/2004	24	Bram Will LLC and William Muschel, LLC's Opposition to Debtor's Motion For an Order, Pursuant to 11 U.S.C. §§105(a) and 365(a), and Rule 6006 of the Federal Rules of Bankruptcy Procedures, (A) Authorizing Debtor to Assume an Executory Contract with Bram Will El LLC and William Muschel, LLC, (B) Directing an Immediate Closing Under the Executory Contract, and (C) Granting Other and Further Related Relief
8/20/2004	31	Debtors Response: (A) In Further Support of Broadwall America, Inc.'s Motion for an Order (1) Authorizing Debtor to Assume an Executory Contract with Bram Will El LLC and William Muschel, LLC, (2) Directing an Immediate Closing Under the Executory Contract, and (3) Granting Other and Further Related Relief, and (B) In Opposition to Bram Will LLC and William Muschel, LLC's Motion for an Order: (1) Abstaining from Adjudicating the Debtor's Motion Pursuant to 28 U.S.C. §1334(c)(1); and (2) Lifting Any Automatic Stay Pursuant to 11. U.S.C. §362(d)(1)
8/24/2004	32	Joinder of Arthur Shapolsky in Support of Debtor's Opposition to the Motion of Bram Will El LLC and William Muschel, LLC For Abstention and Relief from the Automatic Stay
9/27/2004	36	Brief in Further Support of Debtor's Motion To, Among Other Things, Assume an Executory Contract With Bram Will El LLC and William Muschel, LLC
9/28/2004	38	Supplemental Opposition to Debtor's Motion For an Order Authorizing Debtor to Assume Contract With Bram Will El LLC and William Muschel, LLC
9/29/2004	39	Order (1) Converting Debtor's Assumption Motion to be an Adversary Proceeding, (2) Denying Sellers' Motion for Abstention and Relief from the Automatic Stay, and (3) Granting Related Relief

<b>DATE</b>	<b>DOCKET NO.</b>	<b>DOCKET DESCRIPTION</b>
10/08/2004	42	Reply in Further Support of Supplemental Opposition to Debtor's Motion For an Order Authorizing Debtor to Assume Contract With Bram Will El LLC and William Muschel, LLC
10/08/2004	43	Debtor's Reply Brief in Further Support of Debtor's Motion To, Among Other Things, Assume an Executory Contract With Bram Will El LLC and William Muschel, LLC
12/6/2004	65	Order Granting Debtor's Motion to Assume Executory Contract and For Related Relief
1/20/2005	100	Order Confirming Debtor's First Amended Plan of Reorganization
2/11/2005	118	Bram Will LLC and William Muschel, LLC's Motion for Clarification
2/18/2005	128	Reorganized Debtor's Opposition to Motion for "Clarification" by Bram Will LLC and William Muschel, LLC
2/18/2005	129	Exhibits B-D for Reorganized Debtor's Opposition to Motion for "Clarification" by Bram Will LLC and William Muschel, LLC
2/18/2005	130	Exhibits E-J for Reorganized Debtor's Opposition to Motion for "Clarification" by Bram Will LLC and William Muschel, LLC.
2/18/2005	131	Exhibits K-P for Reorganized Debtor's Opposition to Motion for "Clarification" by Bram Will LLC and William Muschel, LLC.
2/18/2005	132	Exhibits Q-T for Reorganized Debtor's Opposition to Motion for "Clarification" by Bram Will LLC and William Muschel, LLC.
2/18/2005	133	Exhibits U-W for Reorganized Debtor's Opposition to Motion for "Clarification" by Bram Will LLC and William Muschel, LLC.
3/15/2005	145	Order Denying Motion for "Clarification" by Bram Will LLC and William Muschel, LLC.

<b>DATE</b>	<b>DOCKET NO.</b>	<b>DOCKET DESCRIPTION</b>
3/23/2005	148	Decision Regarding Debtor's Motion to Assume an Executory Contract, This Court's Declaratory Order Entered in the Adversary Proceeding, and Granting Other Related Relief
3/24/2005	149	Errata Order Regarding Decision Regarding Debtor's Motion to Assume an Executory Contract, This Court's Declaratory Order Entered in the Adversary Proceeding, and Granting Other Related Relief
1/20/2006	162	Motion by Broadwall America Inc. to Compel Debtors Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title Pursuant to a Contract to Sell Real Property Which They Have Been Specifically Ordered to Perform and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose
5/05/2005	166	Hearing Transcript from Hearing on 10/27/2004
2/13/2006	175	Objection to Motion by Broadwall America Inc. to Compel Debtors Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title Pursuant to a Contract to Sell Real Property Which They Have Been Specifically Ordered to Perform and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose
2/14/2006	176	Reply in Support of Broadwall's Motion to Compel Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose
3/16/2006	181	Hearing Transcript from Hearing on 2/15/06
9/20/2010	215	Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code

<b>DATE</b>	<b>DOCKET NO.</b>	<b>DOCKET DESCRIPTION</b>
10/22/2010	221	Objection and Request for Adjournment by Aaron Muschel to the Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code
10/22/2010	223	Reply of Broadwall America, Inc. in Support of Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code
10/25/2010	224	Reply of Bram Will El LLC and William Muschel, LLC in Support of Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code
12/1/2010	229	Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief
12/13/2010	231	Notice of Appeal re: Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief
--	--	Hearing Transcript for hearing on 11/2/10

**B. From Adv. Pro No. 04-04401 (JMP)**

<b>DATE</b>	<b>DOCKET NO.</b>	<b>DOCKET DESCRIPTION</b>
10/20/2004	1	Complaint against Bram Will El LLC and William Muschel, LLC
10/26/2004	6	Answer to Complaint by Bram Will El LLC and William Muschel, LLC
12/6/2004	8	Order Granting Debtor's Motion to Assume Executory Contract and For Related Relief

<b>DATE</b>	<b>DOCKET NO.</b>	<b>DOCKET DESCRIPTION</b>
3/23/2005	18	Decision Regarding Debtor's Motion to Assume an Executory Contract, This Court's Declaratory Order Entered in the Adversary Proceeding, and Granting Other Related Relief
3/24/2005	19	Errata Order Regarding Decision Regarding Debtor's Motion to Assume an Executory Contract, This Court's Declaratory Order Entered in the Adversary Proceeding, and Granting Other Related Relief
1/20/2006	20	Motion by Broadwall America Inc. to Compel Debtors Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title Pursuant to a Contract to Sell Real Property Which They Have Been Specifically Ordered to Perform and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose
2/14/2006	23	Reply in Support of Broadwall's Motion to Compel Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose
12/1/2010	29	Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief

**C. From Case No. 05-10617 (JMP)**

<b>DATE</b>	<b>DOCKET NO.</b>	<b>DOCKET DESCRIPTION</b>
3/3/2005	15	Broadwall America Inc.'s Application to Modify Stay to Proceed with Adversary Proceeding and Request for Related Relief
3/11/2005	16	Debtor's Response to Broadwall America Inc.'s Application to Modify Stay to Proceed with Adversary Proceeding and Request for Related Relief
12/27/2005	34	Motion for Contempt
12/29/2005	36	Exhibits to Motion for Contempt
1/6/2006	37	Response of Broadwall America Inc. to Debtor's Motion for Contempt

<b>DATE</b>	<b>DOCKET NO.</b>	<b>DOCKET DESCRIPTION</b>
1/6/2006	38	Exhibit 7 through 10 to Response of Broadwall America Inc. to Debtor's Motion for Contempt
1/20/2006	20	Motion by Broadwall America Inc. to Compel Debtors Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title Pursuant to a Contract to Sell Real Property Which They Have Been Specifically Ordered to Perform and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose
2/12/2006	46	Objection to Motion by Broadwall America Inc. to Compel Debtors Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title Pursuant to a Contract to Sell Real Property Which They Have Been Specifically Ordered to Perform and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose
2/14/2006	47	Reply in Support of Broadwall's Motion to Compel Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose
3/14/2007	80	Letter to the Honorable James M. Peck
6/11/2010	116	Motion to Dismiss Case
9/20/2010	124	Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code
10/22/2010	127	Objection and Request for Adjournment by Aaron Muschel to the Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code
10/22/2010	128	Reply of Broadwall America, Inc. in Support of Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code
10/25/2010	129	Reply of Bram Will El LLC and William Muschel, LLC in Support of Joint Motion for Approval of Proposed



<b>DATE</b>	<b>DOCKET NO.</b>	<b>DOCKET DESCRIPTION</b>
		Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code
12/1/2010	136	Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief
12/13/2010	138	Notice of Appeal re: Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief
--	--	Hearing Transcript for hearing on 11/2/10

**C. From Case No. 05-10616 (JMP)**

<b>DATE</b>	<b>DOCKET NO.</b>	<b>DOCKET DESCRIPTION</b>
3/3/2005	9	Broadwall America Inc.'s Application to Modify Stay to Proceed with Adversary Proceeding and Request for Related Relief
3/11/2005	10	Debtor's Response to Broadwall America Inc.'s Application to Modify Stay to Proceed with Adversary Proceeding and Request for Related Relief
12/27/2005	28	Motion for Contempt
12/29/2005	30	Exhibits to Motion for Contempt
1/6/2006	31	Response of Broadwall America Inc. to Debtor's Motion for Contempt
1/6/2006	32	Exhibit 7 through 10 to Response of Broadwall America Inc. to Debtor's Motion for Contempt
1/20/2006	35	Motion by Broadwall America Inc. to Compel Debtors Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title Pursuant to a Contract to Sell Real Property Which They Have Been Specifically Ordered to Perform and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose

<b>DATE</b>	<b>DOCKET NO.</b>	<b>DOCKET DESCRIPTION</b>
2/12/2006	40	Objection to Motion by Broadwall America Inc. to Compel Debtors Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title Pursuant to a Contract to Sell Real Property Which They Have Been Specifically Ordered to Perform and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose
2/14/2006	41	Reply in Support of Broadwall's Motion to Compel Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose
3/14/2007	75	Letter to the Honorable James M. Peck
6/11/2010	115	Motion to Dismiss Case
9/20/2010	125	Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code
10/22/2010	128	Objection and Request for Adjournment by Aaron Muschel to the Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code
10/22/2010	129	Reply of Broadwall America, Inc. in Support of Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code
10/25/2010	130	Reply of Bram Will El LLC and William Muschel, LLC in Support of Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code
12/1/2010	137	Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief
12/13/2010	139	Notice of Appeal re: Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of

<b>DATE</b>	<b>DOCKET NO.</b>	<b>DOCKET DESCRIPTION</b>
		Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief
--	--	Hearing Transcript for hearing on 11/2/10

**D.     From Case No. 05-10617 (JMP)**

<b>DATE</b>	<b>DOCKET NO.</b>	<b>DOCKET DESCRIPTION</b>
3/3/2005	15	Broadwall America Inc.'s Application to Modify Stay to Proceed with Adversary Proceeding and Request for Related Relief
3/11/2005	16	Debtor's Response to Broadwall America Inc.'s Application to Modify Stay to Proceed with Adversary Proceeding and Request for Related Relief
12/27/2005	34	Motion for Contempt
12/29/2005	36	Exhibits to Motion for Contempt
1/6/2006	37	Response of Broadwall America Inc. to Debtor's Motion for Contempt
1/6/2006	38	Exhibit 7 through 10 to Response of Broadwall America Inc. to Debtor's Motion for Contempt
1/20/2006	20	Motion by Broadwall America Inc. to Compel Debtors Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title Pursuant to a Contract to Sell Real Property Which They Have Been Specifically Ordered to

<b>DATE</b>	<b>DOCKET NO.</b>	<b>DOCKET DESCRIPTION</b>
		Perform and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose
2/12/2006	46	Objection to Motion by Broadwall America Inc. to Compel Debtors Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title Pursuant to a Contract to Sell Real Property Which They Have Been Specifically Ordered to Perform and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose
2/14/2006	47	Reply in Support of Broadwall's Motion to Compel Bram Will El LLC and William Muschel, LLC to Comply with this Court's March 23, 2005 Order, and to Close Title and, to the Extent Necessary, to Lift the Automatic Stay for this Purpose
3/14/2007	80	Letter to the Honorable James M. Peck
6/11/2010	116	Motion to Dismiss Case
9/20/2010	124	Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code
10/22/2010	127	Objection and Request for Adjournment by Aaron Muschel to the Joint Motion for Approval of Proposed

<b>DATE</b>	<b>DOCKET NO.</b>	<b>DOCKET DESCRIPTION</b>
		Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code
10/22/2010	128	Reply of Broadwall America, Inc. in Support of Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code
10/25/2010	129	Reply of Bram Will El LLC and William Muschel, LLC in Support of Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code
12/1/2010	136	Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief
12/13/2010	138	Notice of Appeal re: Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related

<b>DATE</b>	<b>DOCKET NO.</b>	<b>DOCKET DESCRIPTION</b>
		Relief
--	--	Hearing Transcript for hearing on 11/2/10

**E. From Adv. Pro No. 06-01788 (JMP)**

<b>DATE</b>	<b>DOCKET NO.</b>	<b>DOCKET DESCRIPTION</b>
10/10/2006	1	Complaint against Bram Will El LLC and William Muschel, LLC
10/10/2006	2	Application for and Affidavit in Support of Motion for a Preliminary Injunction and Temporary Restraining Order
10/10/2006	3	Affidavit In Support of Motion for a Preliminary Injunction and Temporary Restraining Order
2/1/2007	11	Answer to Complaint by Bram Will El LLC and William Muschel, LLC
3/14/2007	15	Letter to the Honorable James M. Peck
4/27/2007	19	Motion to Amend Answer
5/11/2007	20	Affidavit of Jeffrey A. Miller in Opposition to Sellers' Motion to Amend Their Answer
5/11/2007	21	Affidavit of Gary Barnett in Opposition to Sellers' Motion to Amend Their Answer
5/11/2007	22	Broadwall's Memorandum of Law in Opposition to Sellers' Motion to Amend
5/14/2007	24	Defendant's Respose to Plaintiff's Opposition to the Motion to Amend the Answer & In Further Support of the Motion to Amend the Answer
5/18/2007	25	Amended Answer to Complaint by Bram Will El LLC and William Muschel, LLC
5/29/2007	26	Order Authorizing Defendant's to Amend Answer
7/05/2007	34	Hearing Transcript of Hearing held on 5/16/07
9/20/2010	54	Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code
10/22/2010	57	Objection and Request for Adjournment by Aaron

<b>DATE</b>	<b>DOCKET NO.</b>	<b>DOCKET DESCRIPTION</b>
		Muschel to the Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code
10/22/2010	58	Reply of Broadwall America, Inc. in Support of Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code
10/25/2010	59	Reply of Bram Will El LLC and William Muschel, LLC in Support of Joint Motion for Approval of Proposed Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code
11/30/2010	64	Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief
12/13/2010	65	Notice of Appeal re: Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief
--	--	Hearing Transcript for hearing on 11/2/10

**F. From Adv. Pro No. 06-01789 (JMP)**

<b>DATE</b>	<b>DOCKET NO.</b>	<b>DOCKET DESCRIPTION</b>
11/30/2010	21	Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief
12/13/2010	22	Notice of Appeal re: Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief
--	--	Hearing Transcript for hearing on 11/2/10

**G. From Adv. Pro No. 06-01780 (JMP)**

<b>DATE</b>	<b>DOCKET NO.</b>	<b>DOCKET DESCRIPTION</b>
11/30/2010	21	Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief
12/13/2010	22	Notice of Appeal re: Order Approving Stipulation and Order Pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and Section 105(a) of the Bankruptcy Code, Dismissing Bankruptcy Cases & Granting Related Relief
--	--	Hearing Transcript for hearing on 11/2/10

**II. STATEMENT OF ISSUES TO BE PRESENTED ON APPEAL**

1. Whether the Bankruptcy Court erred in approving the stipulation of settlement in the absence of an adequate record and/or without determining whether the settlement was “fair and equitable” or “in the best interest of the estates” pursuant to Rule 9019 of the Federal Rules of Bankruptcy Procedure?
2. Whether the Bankruptcy Court erred in concluding that William Muschel, LLC and Bram Will El LLC had authority to enter into the stipulation approved by the Bankruptcy Court?
3. Whether the Bankruptcy Court erred in dismissing the bankruptcy cases pursuant to 11 U.S.C. § 1112 in the absence of an adequate record and/or without identifying any appropriate “cause” for dismissal, or alternatively, based upon a previously filed motion to dismiss that did not identify sufficient “cause” to dismiss due to factual circumstances described therein being no longer applicable at the time of the dismissal?
4. Whether the Bankruptcy Court erred in concluding that it had jurisdiction to approve a post-dismissal sale of assets pursuant to 11 U.S.C. § 363?
5. Whether the Bankruptcy Court erred in granting relief beyond and/or extraneous to dismissal of the bankruptcy cases, including approving the post-dismissal sale of assets without an appropriate sale procedure pursuant to 11 U.S.C. §363?

Dated: New York, New York  
December 27, 2010

Respectfully submitted,



GOLENBOCK EISEMAN ASSOR BELL  
& PESKOE LLP

By: /s/ Jonathan L. Flaxer  
Jonathan L. Flaxer, Esq.

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Aaron Muschel